

**Michigan Water Resources Conservation Advisory Council (WRCAC)
September 30 - Oct 1, 2008, Initial Meeting**

In the Lodge Meeting Room at the Ralph A MacMullan Conference Center the WRCAC 2 day meeting convened. Present on September 30 was Jon Allan, Bryan Burroughs, James Clift, Jon Coleman, Michael Gregg, Craig Hoffman, Mark Lemons, Jo Latimore, Peter Manning, Timothy Neumann, Michael Newman, Scott Piggott, Frank Ruswick, Paul Seelbach, Richard Slevatz, Patricia Soranno, Donna Stine, and Bob Walther. Absent were Sumedh Bahl, Frank Ettawageshik, and Sam Wendling. Guests were Jim Cleland, Patricia Fouchey, Dave Hamilton, Tammy Newcomb, and Jim Nicholas. Present on October 1 was Bryan Burroughs, James Clift, Jon Coleman, Craig Hoffman, Jo Latimore, Mark Lemons, Peter Manning, Michael Newman, Scott Piggott, Frank Ruswick, Paul Seelbach, Richard Slevatz, Patricia Soranno, Donna Stine, and Bob Walther. Absent were Jon Allan, Sumedh Bahl, Frank Ettawageshik, Michael Gregg, Timothy Neumann and Sam Wendling. Guests were Jim Cleland, Patricia Fouchey, Dave Hamilton, and Jim Nicholas,

Overview of Meeting; Introduction of Council Members

At 10:00 on September 30, 2008, Paul Seelbach welcomed everyone. He said this is a bigger group than had before. Paul said his job is to kick off the WRCAC. It was decided that WRCAC would be called "the rack". About half of our members are from the previous (Groundwater Conservation Advisory) council, half are new faces. There is a new set of charges. Some have fairly short time lines in which we need to report back to the legislators. Paul's theme is: Hit the ground running. The goals of this meeting are to review then get to work. Paul introduced himself and then went around the table with everyone introducing themselves.

A packet was distributed to all members. If not on the prior council (GWCAC) the reports that were produced by the previous council were included. The first report is about the state of water (called Final Report to the Michigan Legislature in response to Public Act 148 of 2003). The second report kicks off the water management process and the tool (Titled: Report to the Michigan Legislature in response to 2006 Public Act 34). Everyone received a listing of the charges (titled: Compact charges to the state with direct implications for the WRCAC) that was compiled by Paul Seelbach, a membership list and 2 sheets on WebPages.

Review of Recent Legislation: Major Themes, Commitments, Charges

Frank Ruswick spoke on the recent legislation until 11:25. The Great Lakes Compact has been passed by the legislative branch of the federal government. It is waiting the president's signature. Once it is signed, it will become federal law. It will give a new level of protection never realized before. The Compact will affect the structure of Michigan Legislation. Because of the compact we are required to set up water management. We must adopt management and water conservation practices. Compact not only regional but lays foundation on why here. Michigan is the first state to implement it even though Michigan was the last to accept the compact.

Michigan water regulation says for users pumping 100,000 gallons per day, any new or increased large water withdrawal must be registered with state starting in 2006. In 2006 decided to protect resources as they existed on that date. So there is a concept of baseline capacity. There are different ways to apply but basically what was being used in 2006 is baseline. Another term is adverse resource impact (ARI). The (previous) council was instrumental in defining these terms. Tomorrow anyone can go on line and use the water withdrawal assessment screening tool. ARI in 2006 was the State's responsibility to prove you made an ARI. Now the law says you must register your withdrawal and show that your

withdrawal will not cause an ARI. To determine if an ARI will occur must go through 2 phases. Phase 1: use screening tool. Second process: go through a site specific review. The assessment process is phase 1; using the screening tool. Phase 2 is site specific.

ARI is defined as a functional impairment of the characteristic fish population. The tricky part is to show when does an ARI occur. At one point ok, at another point not ok. The 2008 legislation legally constituted that point on eleven different types of streams in Michigan. Michigan moved from the 2006 legal standard to a legislative objective numerical standard. We are in a transition period. The Water Withdrawal Assessment Screening Tool is available for people to use and test October 1. Council charged with evaluating tool and is it ready for prime time on July 2009 when the screening tool must be used. This council will give their recommendation on the tool. In July 2009 the tool will be in use. Since the tool is not legally up and running, people have no real way of knowing if they are passing the bright line - the ARI.

The validity of the lines. One way of looking at this is: The legislation says we have a bank account in each stream. So much water can be taken out before we need to worry. These new lines will go into effect February 1, 2009. Starting October 1, 2008, will start to keep track but not until February 1, 2009, will there be a withdrawal. All of the withdrawals that come out will roll back. When you see zones this will become clear. There is a phase-in period.

Preconditions of registration: have no ARI. If a withdrawal is over a certain threshold must get a permit from DEQ. There are 5 reasons a permit is needed. 1) More than 2 million gallons per day. 2) More than 1 million gallons per day in zone c. 3) An "intrabasin transfer" within the Great Lakes (from the basin of one Great Lake to another) of 100,000 gallons per day. this probably doesn't have a big impact for us. 4) Withdrawal would create an ARI but user will counteract impact - called preventative measures. 5) A bottle water company that uses 200,000 gallons per day. There are exemptions for seasonal use: if average not over 2 million gallons per day in a 90-day time frame.

Overview of New State Water Withdrawal Assessment Tool & Process

A PowerPoint presentation titled Water Withdrawal Proc Overview 9-30-08.ppt was given by Dave Hamilton from 11:30 till noon.

Collaboration primer

A discussion on collaboration was lead by Paul Seelbach from 1:00 to 1:17. He was pitching that the council is by definition a collaborative group and that they should strive to function as such a body.

Discuss council meeting processes

A discussion on the council's meeting processes was lead by Paul Seelbach from 1:17 till 2:00. Some of the discussion was on: how to build the agenda, how to get fair inputs from all around table, choosing the councils leaders.

"Live with concensus" is a good target. Frank Ruswick said if a disagreement among group, not affect group. Possibly the group hasn't discussed the issue enough to work through the problem. If just go with a yes or no vote that could fragment group. Should pursue concensus. Greatest value of the last group was that the legislation took our recommendations without much discussion. In areas where there was no council concensus legislature worked out their own decision.

Determine council roles, tasks, and related subcommittees 2:30-4:15 Frank Ruswick

Using a flip board Frank Ruswick led the group in a discussion about roles, tasks, subcommittees, leadership structure and process from 2:30 till 4:15

Frank Ruswick wrote on a flip board:

Potential subcommittees of

- Capacity / use and working of tool
- Impacts to surface water bodies
- Conservations & efficiency programs
- Preventative
- Educational
- Legal conflicts

On another flip chart Frank Ruswick wrote:

Identified some tasks

Capacity / use

Tool capacity

Ag / well driller - users

Criteria / methodology.

Listed were the Subcommittees

After discussion the Subcommittees were divided into Phase 1 and Phase 2 Subcommitties:

Phase 1

- Capacity / use
- Tool capability
- Impacts to other surface water bodies

Phase 2

- Preventative
- Conservation / efficiency
- Legal conflicts

Discuss council leadership structure and process

Frank Ruswick lead the discussion from 4:15 to 5:00.

Frank Ruswick wrote on a flip board:

Chair Purposes

Set agenda

Run meetings

Report to leg

Leadership

Energy / inertia

Process mgmt / protection

Ensure productivity

Influence / credibility for council

Outreach - contact person

Those present were asked to consider a leadership role. At 5:00 the meeting adjourned for the day.

Select council leadership and task subcommittees

Frank Ruswick lead the discussion about filling the leadership positions from 8:00 to 8:20 on Tuesday October 1, 2008. It was decided that James Cliff, Mike Newman, and Scott Piggott

would be the co-chairs. Frank Ruswick representing DEQ and Paul Seelbach representing DNR along with James Clift, Scott Piggott and Mike Newman would make up the Executive Committee.

Subcommittee caucusing

From 8:20 to 9:00 a discussion on the roles of the subcommittees was held. From 9:00 till 9:40 the subcommittees meet.


The subcommittee on Capacity vs. Actual Withdrawals is made up of Jon W Allan, James Clift, Mike Gregg, Mike Newman, Tim Neumann, Scott Piggott, Frank Ruswick, Dick Slevatz, Bob Walther and Non-members of Jim Cleland, Abby Eaton or Bob Pigg from MDA and a DTE employee.

The subcommittee on Test and Evaluation of Assessment Tool Committee is made up of Bryan Burroughs, Craig Hoffman, Mark Lemons, Tim Neumann, Paul Seelbach, Dick Slevatz, Pat Soranno, and Bob Walther and non-members of Brant Fisher, Dave Hamilton and Bob Pigg.

The subcommittee on Impacts on Lakes + + is made up of Jon Allan, Bryan Burroughs, Mike Gregg, Jo Latimore, Peter Manning, Frank Ruswick, Donna Stine, Pat Soranno, Bob Walther, and non-member of Dave Hamilton.

Live, full-function demo & review of Water Withdrawal Assessment Tool

From 9:40 till 11:10 the tool was discussed and shown. Dave Hamilton wants to recognize Howard Reeves and Jeremiah Asher who put together the Tool. The Water Withdrawal Tool is available at <http://www.miwwat.org/>

Dave Hamilton went through a few PowerPoint slides. The powerpoint called Water Withdrawal Assessment Tool - Steve Miller, MSU Biosystems and Agricultural Engineering  is available in the box labeled Educational Material when accessing the Tool.

Dave Hamilton said there are 2 things the users must do when using the Tool. Read the disclaimer and turn off their pop-up blocker. Dave Hamilton would not recommend a user with dial up service use the Tool because it will time out. Dave Hamilton encouraged everyone to go to the website (<http://www.miwwat.org/>) and explore its features.

Next steps and adjourn

The chairs of the subcommittees were name. Mike Gregg was elected in his absence for the Capacity vs. Actual Withdrawals Committee. Paul Seelbach will be chair for the Test and Evaluation of Assessment Tool Committee. Pat Soranno will be chair for the Impacts on Lakes + + Committee.

The dates of the next 3 meetings were set:

Monday November 3, 2008

Tuesday December 2, 2008

Tuesday January 6, 2009

FYI: Generally meeting times are 10:00 to 3:00 to allow for travel.

Just before noon on October 1, 2008, the first meeting of the WRCAC adjourned.